

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

June 19, 2007

COUNTY COMMISSIONERS

Welton G. Cadwell, Chairman

Jennifer Hill, Vice Chairman

Elaine Renick, District #2

Debbie Stivender, District #3

Linda Stewart, District #4

Cindy Hall, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

June 19, 2007

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:
 April 24, 2007 (Regular Meeting)
 May 15, 2007 (Regular Meeting)
 May 22, 2007 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 7)

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office - Acknowledge receipt.

2. Southwest Florida Water Management District Governing Board Meeting
9:00 a.m. Tuesday, May 29, 2007

Finance and Administration Committee Fiscal Year 2008 Budget Workshop to be held sometime after 2:00 p.m.

2379 Broad Street
Brooksville, FL 34604-6899
352-796-7211 or 1-800-231-6103

Internet: Water/Matters.org

Recommendation: Acknowledge Receipt

3. Proposed Operating Budget for Fiscal Year 2008 for Deer Island Community Development District - Acknowledge receipt.
4. Central Lake Community Development District Proposed Budget for Fiscal Year 2008 - Acknowledge receipt.
5. Notice of Public Hearing:

Lake County Board of Adjustment, Friday, June 15, 2007 at 1:00 p.m., in the County Chambers, 2nd Floor-Round Administration Building, 315 West Main Street, Tavares, Florida

Re: Public Hearing No. BOA #38-07-3
Owner: Doral Estates Homeowners

Requested Action: The owner is requesting a variance from the Lake County Land Development Regulations, 10.04.02 Common Boat Docks, Common Boat Ramps, and Common Recreational Areas to allow a common boat dock to be located on a tract of land that is not specifically designated for a common boat dock, boat ramp or common recreational area on the recorded Plat: to allow the common boat dock to be located on a tract of land that is not within the platted subdivision; to allow relief from the setback and landscaping requirements for common docks, and to allow the common boat dock to be located on an ingress and egress easement or right-of-way which is not located entirely within the platted subdivision within which the common boat dock is to be located (+/- .15 acre).

Recommendation: Acknowledge Receipt

6. Ordinances from the Town of Lady Lake as follows:

2007-10 An Ordinance of the Town of Lady Lake, Florida amending Article II of Chapter 8 of the Code of Ordinances entitled, "Occupational License Tax" by changing the term "Occupational License" to "Business Tax Receipt", and revising current fees, and establishing new rate structures.

2007-11 An Ordinance of the Town of Lady Lake, Florida granting a special exception use for a duplex on certain property in the town of Lady Lake, Florida, upon application by the property owner, Marvin O. Smallwood; with a mixed low density residential (MX-5) zoning classification.

Recommendation: Acknowledge Receipt

7. Notice of Commission Service Hearings

To Aqua Utilities Florida, Inc.
The office of Public Counsel and all other interested persons
Docket No. 060368-WS

Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

Issued May 30, 2007

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 22)

Budget

Tab 3 Approve Budget Change Requests.

1. Budget transfer - County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$100,000 from Reserve for Operations to Operating Supplies. Additional funds are necessary to cover fuel costs. Significant emergency fire rescue operations during the past few months and the continual rise in fuel costs have caused the need for additional funds. Funds are available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$1,592,234.
2. Capital Substitution - Stormwater Management Fund - Parks MSTU, Department of Public Works, Parks and Trails Division. Substitute \$27,000 from Improvements Other Than Buildings - Fencing for Parks to Improvements Other Than Buildings - Canoe Launch - PEAR Park (\$9,000) and Boardwalk - PEAR Park (\$18,000). Funds needed to furnish and install a canoe launch at PEAR Park. Funds also needed to remove an old and install a new boardwalk at PEAR Park. All of the replacement fencing in the parks will not be done this year, so the remaining money will be available for the canoe launch and boardwalk. Funds are available in Improvements Other Than Buildings - Fencing.

Environmental Services

- [Tab 4](#) Approve request to advertise amendment of Section 21-158 of the Lake County Code to comply with the revised State statutes.
- [Tab 5](#) Approve the Petroleum Storage Tank Compliance & Enforcement Contract #GC683 between the County and the Florida Department of Environmental Protection, which is a replacement for the expiring contract #GC514; approve the addendum to the existing contract in order to provide for an expiration date of June 30, 2007.

Growth Management

- [Tab 6](#) Request for approval & execution of a Release of Fine Property Owner: Benito B. Delos Santos, Case# 2005080364 - Commission District 2.
- [Tab 7](#) Request for approval & execution of a Release of Fine. Property Owner: Willie V. Turner, Case#2004090038 - Commission District 1.
- [Tab 8](#) Request for approval & execution of a Release of Fine. Property Owner: Willie V. Turner, Case# 2004090039 - Commission District 2.

Information Technology

- [Tab 9](#) Approve new Policy for Telecommunications and Computer Equipment

Procurement

- [Tab 10](#) It is recommended that the Board (1) declare the items on the attached lists surplus to County needs, (2) authorize the removal of all of the items on the attached list from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director to sign vehicle titles.

Public Works

- [Tab 11](#) Request authorization to release a maintenance bond in the amount of \$362,554.65 posted for Lakewood Ranches. Lakewood Ranches consists of 149 lots and is located in Section 1, Township 19 South, Range 27 East. Commission District 4.
- [Tab 12](#) Approval to submit an application for a West Central Upland Invasive Working Group grant for \$25,000, and to commit \$25,000 from General Operating funds as matching funds to support this Grant. Approval to provide \$50,000 up front project money for which \$25,000 would be reimbursed upon completion, if the Grant is awarded to Lake County - Commission District 3.
- [Tab 13](#) Request authorization to release a letter of credit for maintenance in the amount of \$48,219.00 posted for Palisades Phase 2D. Palisades Phase 2D consists of 36 lots and is located in Section 11, Township 22 South, Range 25 East. Commission District 2.
- [Tab 14](#) Request authorization to accept the final plat for Palm View Acres and all areas dedicated to the public as shown on the Palm View Acres plat. Palm View Acres consists of 2 lots and is located in Section 13, Township 20 South, Range 26 East. Commission District 3.
- [Tab 15](#) Approval to file the Declaration of Restrictive Covenants for Palatlahaka Environmental Reserve with the Clerk of the Court as required by the Florida Department of Environmental Protection Land and Water Conservation Fund (LCWF), Project Number 12-00517 (DEP Contract Number LW517), on the fifty (50) acres owned by the County - Commission District 3.

- [Tab 16](#) Approval and authorization for chairman to execute satisfaction of liens for the attached three (3) road assessments - Commission Districts 2, 4 and 5.
- [Tab 17](#) Request authorization to accept the final plat for Emerald Pond, and all areas dedicated to the public as shown on the Emerald Pond plat, accept a maintenance bond in the amount of \$97,889.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Build Florida, Inc., and execute a resolution accepting the following road into the County Road Maintenance System: Emerald Pond Loop (Co. Road No. 3453). Emerald Pond consists of 45 lots and is located in Section 14, Township 19 South, Range 25 East. Commission District 1.
- [Tab 18](#) Request authorization to release a letter of credit for maintenance in the amount of \$48,273.00 posted for Palisades Phase 2C. Palisades Phase 2C consists of 39 lots and is located in Section 11, Township 22 South, Range 25 East. Commission District 2.
- [Tab 19](#) Request authorization to accept the final plat for Foxchase and all areas dedicated to the public as shown on the Foxchase final plat, accept a performance bond in the amount of \$986,241.38, and execute a Developer's Agreement for Construction of Improvements between Lake County and Standard Pacific Homes. Foxchase consists of 162 lots and is located in Section 6, Township 23 South, Range 26 East. Commission District 2.
- [Tab 20](#) Request authorization to accept the final plat for Blanchester Estates and all areas dedicated to the public as shown on the Blanchester Estates plat. Blanchester Estates consists of 6 lots and is located in Section 19, Township 18 South, Range 27 East. Commission District 5.
- [Tab 21](#) Approve and execute a purchase agreement with First Baptist Church of Lady Lake, Inc., for a portion of the property, in conjunction with the CR 466 Road Widening Project in the Lady Lake area - Commission District 5.
- [Tab 22](#) Approve and execute a purchase agreement with B.C. Dickerson (aka Beverly C. Dickerson) and Betty J. Dickerson for right of way and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Edwards Road (#7009) Project, located in the Lady Lake area, located in Section 27, Township 18, Range 24 - Commission District 5.

V. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Growth Management

- [Tab 23](#) Prestige Concrete Plant in Okahumpka - Information item and public comment. No Board action needed - Commission District 3.

Tourism

- [Tab 24](#) The Tourist Development Council recommends the Board of County Commissioners approve the Ordinance Providing for a Five Percent Tourist Development Tax and approve the Draft Grant Fact Sheet and Application format 1) Staff requests direction to schedule a public hearing and advertise the amended ordinance; 2) Direction related to use of general funds for arts and cultural facilities; and 3) Approval of the process to solicit grant requests for the additional penny.

VI. PUBLIC HEARINGS

PUBLIC HEARING - 9:00 A.M. or As Soon Thereafter

- [Tab 25](#) Approval of eight (8) applications for funds from the Library Impact Fee Fund; signature of Interlocal Agreements for disbursement of Library Impact Fee funds to the City Of Umatilla, the City of Leesburg, the Town of Lady Lake, the Town of Montverde, the City of Mount Dora, and the City of Tavares pending County Attorney approval; approval to commit Library Impact Fee Funds for the Cagan Crossings Library project and print management project; and approval of a budget transfer in the amount \$910,435 from Library Impact Fee Fund reserves and appropriation of funds.

VII. REPORTS

- A. County Attorney**
- B. County Manager**
- C. Commissioner Hill - Vice Chairman and District #1**
- D. Commissioner Renick - District #2**
- E. Commissioner Stivender - District #3**
- F. Commissioner Stewart - District #4**
- G. Commissioner Cadwell - Chairman and District #5**

[Tab 26](#) Approval and authorization for Chairman to sign certification provided by Supervisor of Elections.

[Tab 27](#) Approval of Chairman Cadwell as Lake County's voting delegate at the 2007 NACo Conference.

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.